



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

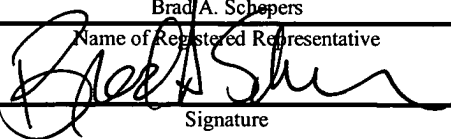
In re patent application of:	)	Before the Examiner:
Charles L. Branch et al.	)	Pedro Philogene
	)	
Application of Serial No. 10/698,702	)	Group Art Unit 3733
	)	
Filed October 31, 2003	)	Ref. No. MSDI-186/
	)	PC365.07
INTERBODY FUSION GRAFTS	)	
AND INSTRUMENTATION	)	May 16, 2008

**RESPONSE TO NON-FINAL OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated January 17, 2008, please consider the following remarks. A fee in the amount of \$120 is also remitted herewith for a one (1) month extension of time, thereby extending the time period to respond to the non-final Office Action to May 17, 2008. Additionally, please charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
May 16, 2008	_____
Date of Deposit	_____
Brad A. Schepers	_____
Name of Registered Representative	_____
	_____
Signature	_____
May 16, 2008	_____
Date of Signature	_____

### **INTRODUCTORY COMMENTS**

Claims 217-262 were pending in the subject application for the non-final Office Action dated January 17, 2008. Each of the pending claims currently stands rejected. In view of the following amendments and remarks, reconsideration and allowance of the subject application are hereby requested.